

Submitted March 14, 2012
Approved as of
Date March 14, 2012

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 23-2011
Wednesday, November 30, 2011**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 7:00 p.m., Wednesday, November 30, 2011.

PRESENT

John Tyner, Chair
Jerry Callistein
Don Hadley
David Hill
Kate Ostell
Dion Trahan
Kathleen Cook

Absent: None

Present: Susan Swift, Director, CPDS
Marcy Waxman, Assistant City Attorney
Jim Wasilak, Chief of Planning
Bobby Ray, Principal Planner
David Levy, Chief of Long Range Planning
Cas Chasten, Planner III
Jeremy Hurlbutt, Planner III
Cindy Kebba, Planner III

I. PRESENTATION

A. Adequate Public Facilities Ordinance and Standards (APFO) – a presentation on the final report of the Adequate Public Facilities Ordinance Review Committee.

Julie Palakovich Carr, Chair of the Committee, presented the APFO Committee's findings and recommendations on the school facilities standards followed by questions from the Planning Commission.

II. COMMISSION ACTION

- A. **Annexation Petition ANX2011-00142, 9608 Veirs Drive** – a request and proposal to enlarge the corporate boundaries of the City of Rockville via annexation of the 46,960 sq. ft. property located at 9608 Veirs Drive.

Mr. Chasten introduced the annexation petition.

Susan Hazlitt, daughter of property owner Arnold Anderson, spoke on his behalf.

Mr. Hill moved, seconded by Ms. Ostell, to recommend to Mayor and Council the approval of the Request for Annexation ANX2011-00142. The recommendation included the findings in the staff report and the recommended zoning of R-400. The motion passed 7-0.

III. REQUEST FOR RECONSIDERATION

- A. **Site Plan STP2011-00091-** Request for Reconsideration of the Planning Commission's October 26, 2011 approval of a 6-story, 417-unit multi-family residential building with 477 structured parking spaces. The Commission shall either, by majority vote, grant or deny the request. If the Commission grants the request then a public hearing will be held at a future meeting to be determined by the Commission.

Ms. Waxman defined the process of a Request for Reconsideration based on the Planning Commission Rules of Procedure. The Commission went into discussion concerning two issues: 1) mistake in law and surprise and 2) inadvertence regarding traffic data.

Mr. Trahan moved, seconded by Mr. Callistein, to deny the Request for Reconsideration for Site Plan STP2011-00091, that it was a mistake of law or fact; that there was no inadvertence; and there was no surprise or fraud or other good cause, based on the fact that there was no new evidence that presented that would sway the majority of the Planning Commission to vote differently. The motion passed 4-3. Commissioners Cook, Hadley and Hill opposed.

IV. WORK SESSION

Thirteenth work session on the Draft Rockville Pike Plan, Infrastructure financing presentation by Holland & Knight.

This item was deferred until the next meeting.

V. COMMISSION ITEMS

- A. Staff Liaison Report – Jim Wasilak updated the Commission on the upcoming meeting schedule and agendas.
- B. Old Business
- C. New Business
- D. Minutes

Mr. Hill moved, seconded by Mr. Trahan, to approve the minutes from meeting 15-2011 dated July 13, 2011, as submitted. The motion passed on a vote of 7-0.

Mr. Hadley moved, seconded by Ms. Ostell, to approve the minutes from meeting 16-2011 dated July 27, 2011, as submitted. The motion passed on a vote of 6-0-1.
Commissioner Trahan abstained.

- E. FYI Correspondence

I. ADJOURN

Mr. Callistein moved, seconded by Mr. Trahan to adjourn the meeting at 9:18 p.m.

Respectfully Submitted,

Sandra Y. Driver, Commission Secretary